

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WESTPORT INSURANCE CORPORATION,	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 5:22-cv-02431-JMG
	:	
GLENN MCGOGNEY, <i>et al.</i> ,	:	
Defendants.	:	

ORDER

AND NOW, on this 29th day of August, 2023, upon consideration of Plaintiff Westport Insurance Corporation's Motion to Dismiss Defendant John Sibley's Counterclaims (ECF No. 21), Sibley's Response to Westport's Motion to Dismiss (ECF No. 22), Sibley's Answer to Westport's Complaint (ECF No. 15), any replies and exhibits thereto, and for the reasons provided in the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that Westport's Motion to Dismiss (ECF No. 21) is **GRANTED**. Accordingly, Sibley's counterclaims of negligence and bad faith are **DISMISSED** without prejudice. Sibley may file amended counterclaims by **September 12, 2023**. If Sibley fails to timely file amended counterclaims, Sibley's counterclaims of negligence and bad faith will be dismissed with prejudice.

BY THE COURT:

/s/ John M. Gallagher
JOHN M. GALLAGHER
United States District Court Judge